

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

JE'TARRE WASHINGTON,

Plaintiff,

Case No. 3:20-cv-214

vs.

MONTGOMERY COUNTY, *et al.*,
Defendants.

District Judge Walter H. Rice
Magistrate Judge Michael J. Newman

ORDER

This *pro se* civil case is before the Court on an initial review pursuant to 28 U.S.C. § 1915. Pursuant to 28 U.S.C. § 1915, the Court may dismiss a complaint upon finding (1) the claims are frivolous or malicious; (2) it fails to state a claim upon which relief may be granted; or (3) it seeks monetary relief from a defendant who is immune from such relief. It is appropriate for the Court to conduct this review *sua sponte* prior to issuance of process “so as to spare prospective defendants the inconvenience and expense of answering such complaints.” *Neitzke v. Williams*, 490 U.S. 319, 324 (1989).

Having conducted this initial review, the Court finds that dismissal under 28 U.S.C. § 1915 is not warranted at this early stage of the litigation. Accordingly, upon the receipt of the required forms necessary to effectuate service of process, the Clerk is **ORDERED** to forward the required documents to the U.S. Marshal for service on Defendants by mail. The Court **NOTIFIES** *pro se* Plaintiff of his duty to complete service of process on each Defendant within 90 days from the date of this Order. Failure to do so may result in the dismissal of this case without prejudice. *See* Fed. R. Civ. P. 4(m).

IT IS SO ORDERED.

Date: October 13, 2020

s/ Michael J. Newman
Michael J. Newman
United States Magistrate Judge